

C3/16009/TC/2011

Transport Commissionerate,  
Trans Towers, Thiruvananthapuram,  
Dated, 14.10.2011.

From

The Transport Commissioner,  
Thiruvananthapuram.

To

Sri.Biju Mathew,  
Vazhakalayil House,  
Kinginimattom P.O.,  
Kolencherry.

Sir,

Sub:- M.Vs.Dept. - Alteration of Goods Vehicles in to Generator  
Van - reply - reg -

Ref:- Your request dated 12.09.2011 and 21.09.2011.

With reference to the above, you are informed that, as per SO.No.1248 dated 5<sup>th</sup> November 2004, Vehicles fitted with generator is included in the category of non-transport vehicle. The rule 126 of Central Motor Vehicles envisages that every manufacturer or importer of a motor vehicle shall submit the proto type of the vehicle for test by any testing agencies specified in the rule for granting a certificate by that agency as to the compliance of provision of the Act and these rules. A combined reading of SO 1248 and Rule 126 revealed that a vehicle fitted with generator and its proto type are tested and approved by any testing agencies specified in Rule 126 shall be registered as non transport vehicle. As per section 52 of M.V.Act 1988, no owner of a motor vehicle shall so alter the vehicle that the particulars contained in the certificate of Registration are at variance with those originally specified by the manufacturer. The alteration in this section means change in the

structure of a vehicle which result in a change in its basic feature. The basic features of every motor vehicle are specified by the manufacturer and furnished before the testing agency for proto type test under Rule 126 of CMV Rules. If a goods vehicle is tested and approved by any testing agency meant for carrying goods such vehicle cannot be altered as generator van. But mere carrying a generator on a goods vehicle shall not be a violation of section 52 subject to the condition that such mounting does not change the classification of vehicle as Non Transport Vehicle. In such cases, generator is considered as a load (Goods) carried in the Goods Vehicle. However we are sending a letter to the Government of India, Ministry of Road Transport and Highways for clarification in this regard and a copy of the same is enclosed.

This is for your information.

Yours faithfully,  
Sd/-  
Transport Commissioner.

Copy to: All DTCs, RTOs and Joint RTOs (Please refer this office letter of even number dated 05.09.2011). They are also directed to take similar action on 'Goods Vehicle' altered as 'Vehicle fitted with Crane' (NTV) and realize the loss of revenue by way of tax.

Approved for issue

Senior Superintendent.

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